

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ANTHONY BREIDENBACH,

Plaintiff,

CASE NO. 01-40216

vs.

**HON. PAUL V. GADOLA
U.S. DISTRICT JUDGE**

JOHN NICHOLS, et al,

**HON. R. STEVEN WHALEN
U.S. MAGISTRATE JUDGE**

Defendant.

_____ /

ORDER GRANTING MOTION FOR COUNSEL

Plaintiff is a *pro se* prison inmate in the civil rights case. Before the Court is his motion for appointment of counsel [Docket #71].

Unlike criminal cases, there is no constitutional or statutory right to the appointment of counsel in civil cases. Rather, the Court requests members of the bar to assist in appropriate cases. The Court previously appointed *pro bono* counsel for the Plaintiff, but that law firm then moved to withdraw based on a conflict of interest. Since that time, Plaintiff has continued to represent himself.

The Court now believes that it would be in the interests of justice to again attempt to obtain counsel for the Plaintiff. Therefore, his motion for appointment of counsel [Docket #71] is GRANTED, and the Court will seek *pro bono* counsel to represent the Plaintiff.

Furthermore, the scheduling order is HELD IN ABEYANCE pending the

appointment of counsel.

SO ORDERED.

S/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: March 28, 2006

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on March 28, 2006.

S/G. Wilson
Judicial Assistant

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